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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,696	02/27/2002	Matthew A. Halsmer	390086.95223	6379

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EXAMINER

BELLAMY, TAMIKO D

ART UNIT	PAPER NUMBER
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2856

DATE MAILED: 05/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/084,696

Applicant(s)

HALSMER, MATTHEW A.

Examiner

Tamiko D. Bellamy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claim 14 is objected to because of the following informalities:

- a. The word “ form” should be replace with --for--.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1, 11, 14-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Yokogawa (1999JP-0364425).

With respect to claims 1, 11, and 15 Yokogawa discloses in fig. 3 a movable weight 105 that is configured along the radial direction of a rotation case 4; and the devise is used to adjust the rotation balance of a gantry. The movable weight 105 is inherently an electronically positioned weight. Furthermore, Yokogawa inherently provides a means for communicating power to the positionable weight as claimed.

With respect to claim 14, a guide 103 provided with a movable weight 105.

With respect to claims 16 and 19, Yokogawa discloses in fig. 3 a movable weight 105 that is configured along the radial direction of the rotation case 4. As

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shown in figure 3 the weights are attached to the gantry and the movable weight 105 is a predetermined fixed weight. Since the movable weights 105 are attached to the movable case 4, the device in which Yokogawa disclose has to take in consideration of the acceleration of the rotation case 4 in order to balance the rotational case 4. Therefore, the device Yokogawa discloses inherently measures a parameter such as variations in acceleration of the gantry to balance the gantry.

With respect to claim 17, Yokogawa discloses the devise is used to adjust the rotation balance of a gantry. Therefore, in order to adjust the balance of a gantry the imbalance of the gantry must first be detected. The method in which Yokogawa discloses inherently includes a gantry sensor for detecting out of balance operation of the gantry.

With respect to claim 18, Yokogawa discloses the devise is used to adjust the rotation balance of a gantry. The gantry inherently rotates at a predetermined speed as claimed.

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-10, 12, 13, and ~~15~~ are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokogawa (1999JP-0364425).

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With respect to claims 2-10, Yokogawa discloses in fig. 3 two movable weights 105. With respect to further limitations of claims 3-6, 9-10, as shown in figure 3, the two movable weights 105 are substantially perpendicular to each other, the axis of the weights 105 are along an independent axis and parallel to the gantry axis. Yokogawa does not specifically disclose each weight receiving an independent signal (cl. 7). However, providing a weight with an independent position signal is a design consideration clearly within the preview of one having ordinary skill in the art. Therefore, it would have been obvious to one of ordinary skill in the art to provide Yokogawa with a movable weight with an independent signal, so that the device accurately positions each weight according to a calculated coordinates of imbalance.

With respect to claims 12 and 13, Yokogawa discloses in fig. 3 a movable weight 105 that is configured along the radial direction of a rotation case 4; and the devise is used to adjust the rotation balance of a gantry. Yokogawa lacks the detail of providing an actuator that moves the positional weight and holds its last position when power is removed. However, the device in which Yokogawa discloses provides a means to move the movable weights 105. Furthermore, the means for moving the weights can be manipulated to hold the movable weight it is last position upon removing power. Therefore, it would have been obvious to one of ordinary skill in the art to provide Yokogawa with a movable weight with an actuator the holds the weight in its last position, so that the device continuously corrects the imbalance of the gantry.

### *Conclusion*

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamiko D. Bellamy whose telephone number is (703) 305-4971. The examiner can normally be reached on Monday through Friday 9:00 AM to 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (703) 305-4705. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Tamiko Bellamy

T.B.

May 4, 2003

HELEN KWOK  
PRIMARY EXAMINER

